

## **Section 8: Corrective Action and Serious Deficiency**

### **I. Corrective Action Plan**

The Sponsor places a Provider on corrective action as indicated in the Sponsor/Provider Agreement in accordance with federal and state regulation, guidance and policy and in accordance with this management plan.

The Sponsor has a written Corrective Action Plan (CAP) procedure that at a minimum addresses the following:

1. The method of documentation of the non-compliance issue(s) supporting the Sponsor's decision to place the Provider on Corrective Action per SH MT CACFP 2005-10 Rev 2;
2. That a CAP specifically identifies the non-compliance issue(s), how the provider is to correct the non-compliance issue(s), and the due date, usually by the next DCH visit, for the completion of the CAP; no longer than a 12 month period.
3. CAP must be tracked on MT Sponsor Monitoring form;
4. An assurance that the Sponsor exhausts all corrective action methods and provides technical assistance to the Provider before declaring a Provider seriously deficient; and,
5. If the provider does not complete the corrective action required by the sponsor, then the sponsor will issue a Serious Deficiency to that provider.

**The Sponsor's Written Corrective Action Plan Procedure forms part of the management plan and is submitted for State agency approval as Attachment KK.**

### **II. Serious Deficiency Declaration**

The Sponsor declares a Provider to be Seriously Deficient (SD) as indicated in the Sponsor/Provider Agreement in accordance with federal and state regulation, guidance and policy and in accordance with the management plan.

The Sponsor issues a Corrective Action Plan that if followed, will correct the Serious Deficiency[ies], as follows:

1. The method of documentation of the non-compliance issue(s) supporting the Sponsor's decision to declare the Provider to be Serious Deficient per MT CACFP Policy 2005-10 Rev 2;

2. A Corrective Action Plan (CAP) that specifically identifies the serious deficiency[ies] how the provider may correct the serious deficiency[ies], and a deadline date, not to exceed 30 days, for the completion of the CAP;
3. An assurance that the Sponsor requires the Provider to fully and permanently correct the serious deficiency[ies] in order to continue participation in the CACFP;
4. A method of tracking the Provider's response to the Corrective Action Plan; and
5. An assurance that, if the Sponsor intends to Terminate and Disqualify a Provider, that the Provider is supplied with documentation explaining their Administrative Review (Appeal) Rights.

**The Sponsor's Serious Deficiency Procedure forms part of the management plan and is submitted for State agency approval as Attachment LL.**

The sponsor's serious deficiency and termination procedures submitted in Attachment LL have been reviewed and approved by:

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State Agency Representative's Name & Signature

Date:

All documentation related to Corrective Actions and Serious Deficiencies must be documented, retained on file and readily available for Federal or State agency review. A copy of all Serious Deficiency declarations and the corrective action plans issued in connection with them must be forwarded to the State agency by the Sponsor when a Serious Deficiency is issued and when it is removed.

## **9: Confidential Records**

1. The Sponsor keeps all Provider information confidential and in a secure location.
2. The Sponsor ensures the confidentiality of protected health information.